



General Assembly

February Session, 2004

***Raised Bill No. 5186***

LCO No. 1144

\*01144\_\_\_\_\_HSG\*

Referred to Committee on Select Committee on Housing

Introduced by:  
(HSG)

***AN ACT CONCERNING ALLOCATION OF UNITS IN ELDERLY  
HOUSING PROJECTS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-115a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 (a) No housing project or projects for elderly persons shall be  
4 developed until the Commissioner of Economic and Community  
5 Development has approved the site, the plans and specifications, the  
6 estimated development cost, including administrative or other cost or  
7 expense to be incurred by the state in connection therewith as  
8 determined by said commissioner, and an operation or management  
9 plan for such project or projects which shall provide an income,  
10 including contributions expected from any source, which shall be  
11 adequate for debt service on any notes or bonds issued by an authority  
12 to finance such development cost, administration, including a state  
13 service charge as established by the commissioner, other operating  
14 costs and establishment of reasonable reserves for repairs,  
15 maintenance and replacements, vacancy and collection losses. During  
16 the period of operation of such project or projects, the authority,

17 municipal developer, nonprofit corporation or housing partnership  
18 shall submit to the commissioner for said commissioner's approval its  
19 rent schedules and its standards of tenant eligibility and any changes  
20 therein, and its proposed budget for each fiscal year, together with  
21 such reports and financial and operating statements as the  
22 commissioner finds necessary. Such authority, municipal developer,  
23 nonprofit corporation or housing partnership shall also annually  
24 submit verification that the significant facilities and services required  
25 to be provided to the residents of such project pursuant to Title VIII of  
26 the Civil Rights Act of 1968, as amended by the Fair Housing  
27 Amendments Act of 1988 (42 USC 3600 et seq.) are being provided. On  
28 and after July 1, 1997, the maximum income limits for admission to  
29 such project shall be eighty per cent of the area median income  
30 adjusted for family size.

31 (b) The commissioner shall have the right of inspection of any such  
32 project at any time.

33 (c) (1) As used in this subsection: (A) "Seniors" means persons sixty-  
34 two years of age or older who lack the amount of income that is  
35 necessary, as determined by the housing authority, municipal  
36 developer, nonprofit corporation or housing partnership, subject to  
37 approval by the commissioner, to enable them to live in decent, safe  
38 and sanitary dwellings without financial assistance as provided under  
39 this part; and (B) "nonelderly disabled persons" means persons less  
40 than sixty-two years of age who have been certified by the Social  
41 Security Board as being totally disabled under the federal Social  
42 Security Act or certified by any other federal board or agency as being  
43 totally disabled.

44 (2) The commissioner shall require each housing authority,  
45 municipal developer, nonprofit corporation and housing partnership  
46 to allocate eighty per cent of the units in an elderly housing project to  
47 seniors and twenty per cent of the units in such housing project to  
48 nonelderly disabled persons. If a housing authority, municipal

49 developer, nonprofit corporation or housing partnership is unable to  
50 attract an adequate number of seniors to occupy the percentage of  
51 units allocated to seniors, such entity may allow nonelderly disabled  
52 persons to occupy any such units that are available, provided the  
53 entity gives priority to nonelderly disabled persons who are fifty years  
54 of age or older. If a housing authority, municipal developer, nonprofit  
55 corporation or housing partnership is unable to attract an adequate  
56 number of nonelderly disabled persons to occupy the percentage of  
57 units allocated to such persons, such entity may allow seniors to  
58 occupy any such units that are available.

59 (3) No person lawfully residing in any such project shall be evicted  
60 from or denied continued occupancy of a unit in such project solely as  
61 a result of the allocations established in this subsection.

62 (4) The commissioner shall adopt regulations, in accordance with  
63 chapter 54, to implement the allocations established in this subsection.

64 ~~[(c)]~~ (d) The commissioner may, for periods of up to one year,  
65 authorize a housing authority, municipal developer or nonprofit  
66 corporation to admit to such a project persons who are not less than  
67 fifty-five years of age and otherwise meet the eligibility requirements  
68 for the housing project. The commissioner may only grant such  
69 authority upon receipt from a housing authority, municipal developer  
70 or nonprofit corporation of an application approved by the chief  
71 executive officer of the municipality in which the housing authority,  
72 municipal developer or nonprofit corporation is located demonstrating  
73 (1) that the housing authority, municipal developer or nonprofit  
74 corporation is unable to attract an adequate number of elderly persons  
75 to occupy the project, and (2) that the housing authority, municipal  
76 developer or nonprofit corporation (A) has published a notice, at least  
77 once each week during the thirty days preceding the submission of its  
78 application, in one or more newspapers having a substantial  
79 circulation in the municipality in which the housing project is located,  
80 indicating that units in such project are available, and (B) has sent such

81 a notice, at least thirty days preceding submission of its application, to  
82 each housing authority, municipal developer or nonprofit corporation  
83 operating an elderly housing project pursuant to this part and having  
84 fifty or more units. No person admitted to such a project pursuant to  
85 this subsection shall be evicted from or denied continued occupancy of  
86 such project solely because such person is less than sixty-two years of  
87 age.

88 [(d)] (e) The commissioner is authorized to make orders and to  
89 adopt regulations, in accordance with chapter 54, with respect to the  
90 development and the operation and management of such project or  
91 projects by housing authorities, municipal developers, nonprofit  
92 corporations and housing partnerships, and to determine the  
93 allocation of funds to meet the development costs of such project or  
94 projects, including administrative or other costs or expenses to be  
95 incurred by the state. Such regulations shall establish maximum  
96 income limits for admission to projects that reflect area median  
97 incomes, as determined by the Department of Housing and Urban  
98 Development.

This act shall take effect as follows:	
Section 1	October 1, 2004

**Statement of Purpose:**

To equitably allocate units in elderly housing projects to senior citizens and nonelderly disabled persons.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*